

PETITION IN BANKRUPTCY FILING PACKAGE

INSTRUCTIONS

Legal Advice.

While it is possible to file a bankruptcy case 'pro se', that is, without the assistance of an attorney, it is extremely difficult to do so successfully. Hiring a competent attorney is highly recommended. Employees of the US Bankruptcy Court may provide guidance on procedural matters only and cannot provide legal advice or provide assistance in filling out forms.

Filing petitions in bankruptcy. All Bankruptcy Court locations in Idaho will accept petitions for filing by mail or in person, but please do so at the location nearest you. An outside filing box is available at all locations, to file stamp documents 24 hours a day, 365 days a year. Documents with cash **must** be filed inside with the Clerk's Office.

Hours for the Clerk's offices are **8:00 am - 5:00 pm** Monday through Friday except for legal holidays.

BOISE	Clerk of Bankruptcy Court US Courthouse & Fed Bldg 550 W Fort St., MSC 042 - Rm 400 Boise ID 83724	Tel: 208-334-1074
POCATELLO	Clerk of Bankruptcy Court US Courthouse & Fed Bldg 801 E Sherman St, Rm 119 Pocatello ID 83201	Tel: 208-478-4123
MOSCOW	Clerk of Bankruptcy Court US Courthouse 220 E 5th St - Rm 304 Moscow ID 83843	Tel: 208-882-7612
COEUR d'ALENE	Clerk of Bankruptcy Court US Courthouse 205 N 4th 2nd Flr - Rm 202 Coeur d'Alene ID 83814	Tel: 208-664-4925

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO
1999**

Petition Filing Package Contents and Information - Review the specific instructions for each schedule before completing the schedule.

- . Required Lists, Schedules, Statements and Fees for the Various Chapters of Bankruptcy.
- . Minimum Filing Requirements.
- . Filing Fee Schedule
- . Notice to Individual Consumer Debtor of Available Chapters
- . Format for Master Mailing List (MML) of Creditors
- . Amendment to Schedules
- . Statement of Information required by 11 U.S.C. § 341
- . Voluntary Petition (Form 1)
- . Declaration Under Penalty of Perjury on Behalf of Corporation or Partnership (Form 2)
- . Application to pay Filing Fees in Installments (Form 3)
- . Schedules (Form 6)
- . Statement of Financial Affairs (Form 7)
- . Chapter 7 Individual Debtor's Statement of Intention (Form 8)
- . Exhibit "A", Chapter 11
- . List of Creditors Holding 20 Largest Unsecured Claims -Chapter 11 (Form 4)
- . Chapter 13 Plan and Related Motions (Suggested Form) *(New)*.
- . Certification and Signature of Non-Attorney Bankruptcy Petition Preparer (Form 19)
- . Disclosure of Compensation of Attorney for Debtor (Form B203)
- . Disclosure of Compensation of Bankruptcy Petition Preparer (Form B280)
- . Caption (Form 16a)
- . Caption, Short Title (16b)

B200

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO
REQUIRED LISTS, SCHEDULES, STATEMENTS AND FEES**

Voluntary Chapter 7 Case

- " **Filing Fee of \$155 plus \$15 Trustee fee plus \$30 Administrative Fee (\$200 total) Effective 12/29/99**
If the fee is to be paid in installments, the debtor must be an individual and must submit a signed application for court approval. Rule 1006(b), Fed.R.Bankr.P.
- " **Voluntary Petition (Official Form 1).**
Names and addresses of all creditors of the debtor.
Must be submitted **WITH** the petition. Not required if the debtor submits a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.
- " **Schedules of assets and liabilities (Official Form 6.)**
Must be submitted with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Schedule of executory contracts and unexpired leases.**
Must be submitted with the petition or within 15 days; must be filed on Schedule G of Official Form 6. Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Schedules of current income and expenditures.**
All debtors must file these schedules. If the debtor is an individual, Schedule I and J of Official Form 6, must be used for this purpose. Must be submitted with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Statement of financial affairs (Official Form 7).**
Must be submitted with the petition or within 15 days. Rule 1007(b) & (c).
- " **Statement of intention regarding secured property (Official Form 8).**
Required **ONLY** if the debtor is an individual and the schedule of assets and liabilities contains consumer debts secured by property of the estate. Must be submitted within 30 days of filing of the petition or by the date set for the Section 341 meeting of creditors, whichever is **earlier**. 11 U.S.C. § 521(2).
- " **Statement disclosing compensation paid or to be paid to the attorney for the debtor.**
Must be submitted within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- " **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be submitted within 10 days.

Voluntary Chapter 11 Case

- " **Filing fee of \$800 plus \$30 Administrative Fee (\$830 total)**
If the fee is to be paid in installments, the debtor must be an individual and must submit a signed application for court approval. Rule 1006(b), Fed.R.Bankr.P.
- " **Voluntary Petition (Official Form 1).**
Names and addresses of all creditors of the debtor
Must be submitted **WITH** the petition. Not required if the debtor submits a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.
- " **Exhibit "A"**
Must be attached to petition if debtor is required to file periodic reports (e.g. forms 10K and 10Q) with the Securities & Exchange Commission pursuant to Sections 13 or 15(d) of the Securities Act of 1934 and is requesting relief under chapter 11 of the Bankruptcy Code.
- " **List of Creditors holding the 20 largest unsecured claims (Official Form 4).**
Must be submitted **WITH** the petition. Rule 1007(d), Fed.R.Bankr.P.
- " **Names and addresses of equity security holders of the debtor.**
Must be submitted with the petition or within 15 days, unless the court orders otherwise. Rule 1007(a)(3). Fed.R.Bankr.P.

B200 continued**" Schedules of assets and liabilities (Official Form 6).**

Must be submitted with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

" Schedule of executory contracts and unexpired leases.

Must be submitted with the petition or within 15 days; must be filed on Schedule G of Official Form 6.

Rule 1007(b) & (c), Fed.R.Bankr.P.

" Schedule of current income and expenditures.

All debtors must file these schedules. If the debtor is an individual, Schedule I and J of Official Form 6 must be used for this purpose. Must be submitted with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.

" Statement of financial affairs (Official Form 7).

Must be submitted with the petition or within 15 days. Rule 1007(b) & (c).

" Statement disclosing compensation paid or to be paid to the attorney for the debtor.

Must be submitted within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.

" Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110. Must be submitted within 10 days.

Notice: Under the provisions of 28 U.S.C. § 1930(a)(6) a chapter 11 debtor, is required to pay a quarterly fee to the United States Trustee for each quarter (including any fraction thereof) until the case is closed by the Court, converted or dismissed, whichever occurs first. The amount of the fee varies depending upon the amount of monies disbursed from the estate during any calendar quarter. The fee schedule is as follows:

Less than \$15,000.00	\$ 250
\$15,000.00 - \$74,999.99.....	\$ 500
\$75,000.00 - \$149,999.99.....	\$ 750
\$150,000.00 - \$224,999.99.....	\$1,250
\$225,000.00 - \$299,999.99.....	\$1,500
\$300,000.00 - \$999,999.99.....	\$ 3,750
\$1,000,000.00 - \$1,999,999.99.....	\$ 5,000
\$2,000,000.00 - \$2,999,999.99.....	\$ 7,500
\$3,000,000.00 - \$4,999,999.99.....	\$ 8,000
\$5,000,000 and above.....	\$10,000

Chapter 12 Case**" Filing Fee of \$200 plus \$30 Administrative fee (\$230 total)**

If the fee is to be paid in installments, the debtor must be an individual and must submit a signed application for court approval. Official Form 3 and Rule 1006(b), Fed.R.Bankr.P.

" Voluntary Petition (Official Form 1).**" Names and addresses of all creditors of the debtor.**

Must be submitted **WITH** the petition. Not required if the debtor submits a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.

" Schedules of assets and liabilities (Official Form 6).

Must be submitted with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

" Schedule of executory contracts and unexpired leases.

Must be submitted with the petition or within 15 days; must be filed on Schedule G of Official Form 6,

Rule 1007(b) & (c), Fed.R.Bankr.P.

" Schedules of current income and expenditures.

All debtors must file these schedules. If the debtor is an individual, Schedules I and J of Official Form 6 must be used for this purpose. Must be submitted with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c). Fed.R.Bankr.P.

" Statement of financial affairs (Official Form 7).

Must be submitted with the petition or within 15 days. Rule 1007(b) & (c).

B200 continued

- " **Statement disclosing compensation paid or to be paid to the attorney for the debtor.**
Must be submitted within 15 days or any other date set by the court. 11 U.S.C. § 329 and Rule 2016(b), Fed.R.Bankr.P.
- " **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be submitted within 10 days.
- " **Chapter 12 Plan.** Must be submitted within 90 days. 11 U.S.C. § 1221.

Chapter 13 Case.

- " **Filing fee of \$155 Plus \$30 Administrative Fee (\$185 total) Effective 12/29/99**
If the fee is to be paid in installments, the debtor must be an individual and must submit a signed application for court approval. Official form 3 and Rule 1006(b), Fed.R.Bankr.P.
- " **Voluntary Petition (Official Form 1).**
Names and addresses of all creditors of the debtor.
Must be submitted **WITH** the petition. Not required if the debtor submits a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.
- " **Schedules of assets and liabilities (Official Form 6).**
Must be submitted with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Schedule of executory contracts and unexpired leases.**
Must be submitted with the petition or within 15 days; must be filed on Schedule G of Official Form 6. Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Schedule of current income and expenditures.**
All debtors must file these schedules. If the debtor is an individual, Schedule I and J of Official Form 6 must be used for this purpose. Must be submitted with the petition or within 15 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.
- " **Statement of financial affairs (Official Form 7).**
Must be submitted with the petition or within 15 days. Rule 1007(b) & (c).
- " **Chapter 13 Plan.** Must be submitted with the petition or within 15 days. Rule 3015, Fed.R.Bankr.P.
- " **Statement disclosing compensation paid or to be paid to the attorney for the debtor.**
Must be submitted within 15 days or any other date set by the court, 11 U.S.C. § 329 and Rule 2016(b) Fed.R.Bankr.P.
- " **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.**
Must be submitted within 10 days.

Involuntary Chapter 7 or 11 Petition

Filing fee for a Chapter 7 case \$155 plus plus \$15 Trustee Fee plus \$30 administrative fee (\$200 total) Effective 12/29/99
Filing fee for a Chapter 11 case \$800 plus \$30 administrative fee (\$830 total)
Fee may not be paid in installments Rule 1006(b), Fed.R.Bankr.P.

Involuntary Petition (Official Form 5.) 11 U.S.C. § 303.

Note: Persons filing these documents without the assistance of an attorney are advised to obtain a copy of the current Local Rules of the Bankruptcy Court*. Local Rules are available at the US Court locations in Boise, Pocatello, Moscow and Coeur d'Alene ID. Failure to comply with Local Rules, United States Codes and Federal Court Rules may result in dismissal of the bankruptcy case. If the required papers are not timely filed, cases are subject to being dismissed without further notice or hearing. In addition, the dismissal order may provide that the dismissal is under Bankruptcy Code, § 109(g), which would bar the debtor from filing another bankruptcy petition for a period of 180 days.

** Local Rules are available for viewing on the Internet's World Wide Web. (<http://www.id.uscourts.gov>) where you will find the rules and other information. If you do not have access to the Internet, the Clerks office in Boise can provide a copy of the local rules, in WordPerfect (IBM) 8.0 format if you will provide a formatted 3.5" double-sided high density diskette. Please provide a return addressed and stamped mailer for the diskette. Requests for local rules on diskette should be sent to: Clerk, US Courts; 550 W Fort St, MSC 042; Boise ID 83724 (There is no charge.)*

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

In a voluntary case, the minimum requirements for filing are:

- . Petition and correct amount of copies for the type of chapter being filed.
 An **original plus:**

Chapter 7	3 copies
Chapter 11	4 copies
Chapter 12	3 copies
Chapter 13	3 copies
- . A master mailing list containing the name and address of each creditor in correct format. Only one list is required, with the original petition.
- . Filing fee - no personal checks - made payable to Clerk of the Bankruptcy Court or cash if filing in person at the Clerk's office.
- . In a chapter 11 case, a list of the 20 largest unsecured creditors is required for the appointment of a creditors committee by the US Trustee.
- . In a chapter 13 case, if the plan is filed with the petition, the court will mail a copy to each creditor. If a plan is not filed with the petition, no confirmation date will be set. The debtor (or debtor's attorney) will be responsible for: mailing the plan; obtaining a date for confirmation; notifying all creditors of the hearing; and filing proof of service with the court.

In a voluntary case, the remainder of the schedules and statements are to be filed within 15 days of the filing date.

A complete filing of all documents is encouraged. Failure to file all documents could result in the dismissal of your petition. There are no refunds on any fees paid to the office of the Clerk.

UNITED STATES BANKRUPTCY COURT - District of Idaho
FILING FEE SCHEDULE (Abbreviated version) ¹

Payment of fees must be made in the form of cash, cashier's check, U.S. Postal money order, or money order from a banking institution. Please do not send cash through the mail. Two party checks or personal checks of the debtor(s) will not be accepted. Payment must be payable to: Clerk of U.S. Bankruptcy Court

Chapter 7 <i>Effective 12/29/99</i>	\$200.00 <i>Filing Fee \$155+ \$15 trustee fee + \$30 Administrative Fee</i>
Chapter 9	\$ 330.00 <i>Filing Fee \$300 + \$30 Administrative Fee</i>
Chapter 11	\$ 830.00 <i>Filing Fee \$800 + \$30 Administrative Fee</i>
Chapter 11 railroad	\$1,030.00 <i>Filing Fee \$1,000 + \$30 Administrative Fee</i>
Chapter 12	\$ 230.00 <i>Filing Fee \$200 + \$30 Administrative Fee</i>
Chapter 13 <i>Effective 12/29/99</i>	\$ 185.00 <i>Filing Fee \$155 + \$30 Administrative Fee</i>
Petition Ancillary to a Foreign Proceeding Under 11 U.S.C. Sec. 304	\$ 530.00 <i>Filing Fee \$500 + \$30 Administrative Fee</i>

When any estate filed as a joint petition is later separated at the request of the debtor a fee one-half the filing fee for the separation of a joint petition is due as follows:

Chapter 7 <i>Effective 12/29/99</i>	\$ 77.50
Chapter 11	\$ 400.00
Chapter 12	\$ 100.00
Chapter 13 <i>Effective 12/29/99</i>	\$ 77.50

REOPENING FEE: *Is the same as for current filing fee at the time of reopening. (Does not require Admin. Fee)*
The fee must be collected unless the reopening is to correct an administrative error or for actions related to the debtor's discharge

Chapter 7 <i>Effective 12/29/99</i>	\$155.00
Chapter 9	\$300.00
Chapter 11	\$800.00
Chapter 11 railroad	\$1,000.00
Chapter 12	\$200.00
Chapter 13 <i>Effective 12/29/99</i>	\$155.00

¹ Appendix I and II of the Local Rules presents the entire Filing Fee Schedule and Miscellaneous Fees in detail..

MOTION TO CONVERT TO CHAPTER 7 **\$15.00**
Or NOTICE OF CONVERSION TO CHAPTER 7 **\$15.00**
Pursuant to § 1207(a) or § 1307(a) of the Code

CONVERSION FEE

When a chapter 7 or 13 converts to a chapter 11 at the request of the debtor **\$400.00**

MOTIONS

Motion to vacate or modify automatic stay under USC § 362(a) **\$75.00** (*½ filing fee of civil action*)
(No fee for co-debtor motion for relief under § 1201 or § 1301.)

Motion to withdraw any case or proceeding under USC § 157(d) **\$75.00** (*½ filing fee of civil action*)

Motion to compel a trustee or debtor in possession to abandon property of the estate as provided by Federal Bankruptcy Rule 6007(b) **\$75.00** (*½ filing fee of civil action*)

AMENDMENT FEE

To amend bankruptcy petition schedules of creditors or add creditors to mailing list. **\$20.00**
(Unless waived by bankruptcy judge)

APPEALS

Appeal or Review Fee **\$105.00 ***
Cross-Appeal **\$105.00 ***

** \$5 Notice of appeal fee (1930(c)) + \$100 Docketing Fee to be paid as one fee (\$105.00) at the time of filing of the appeal*

BANKRUPTCY ADVERSARY COMPLAINT **\$150.00**

INVOLUNTARY PETITION :

Chapter 7 <i>Effective 12/29/99</i>	\$200.00 <i>Filing Fee \$155 + \$15 Trustee Fee + \$30 Administrative Fee</i>
Chapter 11	\$830.00 <i>Filing Fee \$800 + \$30 Administrative Fee</i>

UNITED STATES BANKRUPTCY COURT NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the Federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

Chapter 7: Liquidation (\$155 filing fee plus \$15 trustee fee plus \$30 administrative Fee) (\$ 200 total)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

Chapter 11: Reorganization (\$800 filing fee plus \$30 administrative fee) (\$830 total)

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family farmer (\$200 filing fee plus \$30 administrative Fee) (\$230 total)

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

Chapter 13: Repayment of all or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$30 administrative fee) (\$185 total)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt , as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

To determine which chapter to file under, it is recommended that you consult an attorney.

CAMERON S. BURKE
Clerk of Court

DISTRICT OF IDAHO FORMAT FOR MASTER MAILING LIST OF CREDITORS (MML)

In order to insure that the cases you file can be properly read by our Optical Scanner, we ask that you observe the following guidelines. Your cooperation is essential so that the case you are filing can be administered as expeditiously as possible.

1. The MML must be typed in either a 10 or 12 pitch.
2. The MML must be typed on a single page in a single column. (see examples attached).
3. The MML must be typed so that no letters are closer than 1 inch from any edge of the paper.
4. Each name and address must consist of no more than 4 (four) total lines, with at least THREE BLANK LINES between each of the name/address blocks.
5. Each line must be no more than 28 characters.
6. **DO NOT** include account numbers in the address.
7. **DO NOT** include the following on the MML:
 - Debtor
 - Joint Debtor
 - Attorney(s) for the Debtor(s)
 - US Trustee
8. Use the second line of the address to include any "attention" lines. **DO NOT** type it on the last line. The zip code **must** be the last entry for each address.
9. **Extra marks on the MML** - such as letterhead, dates, debtor name, coffee stains, smudges, white out and any hand written marks. Any identifying marks such as case number, debtor name, etc. should be typed on a separate cover sheet attached to the MML.
10. **Nonstandard paper** such as onion skin, half-sized paper, or colored paper.
11. **Poor quality type or incorrect type** will cause the MML not to be read by the Scanner. Poor quality can be caused by submitting a photocopy or carbon, or using an exhausted typewriter ribbon.
12. **A misaligned MML** caused by removing the list from the typewriter before completing the MML or inserting the paper into the typewriter crooked.

13. MML typed in **all upper case letters is not acceptable.**
14. **DO NOT** use the letter "l" as a substitute for the number "1".
15. **DO NOT** use the % symbol or & symbol in an address. The correct use when needed is:
Mr and Mrs John Smith
c/o Andy Jones
16. **If you are filing as a "pro se" debtor, and provide incorrect or incomplete addresses on the mailing matrix - all undeliverable mail will be returned to you and you are required to supply the court with the correct address and send a copy of the Notice of Commencement of Case to the creditor whose address was incorrect.**

EXAMPLE MASTER MAILING LIST (MML)

Flex Northwest
1540 NW 46th St
Seattle WA 98372

General Welding Supply Co
PO Box 3617
Baltimore MD 20984

George S Bush Export, Inc
1400 Exchange Bldg
Buffalo NY 10984

Glander International
Lake Success Plaza
One Hollow Lane
Lake Success NY 11042

Gus Electronics
Marine Division
3700 West 61st Ave
Anchorage AK 99502

Hansberry's Appliance
Parts Division
400 9th Ave N
Seattle WA 98109

If you are including the following agencies as creditors on your MML please use these addresses in the previously mentioned format with 3 blank spaces between each address.

Internal Revenue Service
Chief, Special Procedures
550 W Fort St, MSC 041
Boise ID 83724

US Attorney
Box 32
Boise ID 83707

State of Idaho
Motor Vehicles
POB 7129
Boise ID 83707-1129

Idaho State Tax Comm
POB 36
Boise ID 83722

Attorney General
State of Idaho
POB 83720
Boise ID 83720-0010

Small Business Admin
1020 Main - Suite # 290
Boise ID 83702

State of Idaho
Dept of Employment
317 Main
Boise ID 83735

Chapter 11 cases:

Security and Exchange Commission
Pacific Reg Office - Bankruptcy Counsel
5670 Wilshire Blvd, 11th Floor
Los Angeles CA 90036-3648

Referred Malheur County, Oregon cases:

Oregon Dept of Revenue
ODR BKC
955 Center NE # 353
Salem OR 97310

Internal Revenue Service
1220 SW 3rd - MSO 240
Portland OR 97204

DISTRICT OF IDAHO
AMENDMENT TO SCHEDULES

\$20.00 Amendment Fee

Required Number of Amended Documents:

Chapter 7	Original and 2 copies
Chapter 11	Original and 1 copy
Chapter 12	Original and 1 copy
Chapter 13	Original and 1 copy

Submit **ONLY** the pages of the schedules which are being amended. If you are adding a creditor, do not send all the pages of a particular schedule, (for example), F, Creditors Holding Unsecured Nonpriority Claims. Send in the last page with the additional names and a \$20.00 amendment fee.

If you are submitting schedules D, E, or F to correct any information contained on them, or for more detailed information as required by an Order to Amend Schedules, PLEASE BE SURE to submit a cover letter stating this to avoid delays. A Court memo might otherwise be sent to you stating that no fee had been paid, or that the certificate of mailing of the first meeting notice was not submitted.

STATEMENT OF INFORMATION REQUIRED BY 11 U.S.C Section 341**INTRODUCTION:**

Pursuant to the Bankruptcy Reform Act of 1994, the Office of the United States Trustee, United States Department of Justice, has prepared this information sheet to help you understand some of the possible consequences of filing a bankruptcy petition under chapter 7 of the Bankruptcy Code. This information is intended to make you aware of --

- (1) The potential consequences of seeking a discharge in bankruptcy, including the effects on credit history;
- (2) the effect of receiving a discharge of debts;
- (3) the effect of reaffirming a debt; and
- (4) your ability to file a petition under a different chapter of the Bankruptcy Code.

There are many other provisions of the Bankruptcy Code that may affect your situation. This information sheet contains only general principles of law and is not a substitute for legal advice. If you have questions or need further information as to how the bankruptcy laws apply to your specific case, you should consult with your lawyer.

WHAT IS A DISCHARGE?

The filing of a chapter 7 petition is designed to result in a discharge of most of the debts you listed on your bankruptcy schedules. A discharge is a court order that says you do not have to repay your debts, but there are a number of exceptions. Debts which may not be discharged in your chapter 7 case include, for example, most taxes, child support, alimony, and student loans; court-ordered fines and restitution; debts obtained through fraud or deception; and personal injury debts caused by driving while intoxicated or taking drugs. Your discharge may be denied entirely if you, for example, destroy or conceal property; destroy, conceal or falsify records; or make a false oath. Creditors cannot ask you to pay any debts which have been discharged. You can only receive a chapter 7 discharge once every six (6) years.

WHAT ARE THE POTENTIAL EFFECTS OF A DISCHARGE?

The fact that you filed bankruptcy can appear on your credit report for as long as 10 years, depending on the credit reporting agency. The court does not determine the credit reporting policies. Thus, filing a bankruptcy petition may affect your ability to obtain credit in the future. Also, you may not be excused from repaying any debts that were not listed on your bankruptcy schedules or that you incurred after you filed bankruptcy.

WHAT ARE THE EFFECTS OF REAFFIRMING A DEBT?

After you file your petition, a creditor may ask you to reaffirm a certain debt or you may seek to do so on your own. Reaffirming debt means that you sign and file with the court a legally enforceable document, which states that you promise to repay all or a portion of the debt that may otherwise have been discharged in your bankruptcy case. Reaffirmation agreements must generally be filed with the court within 60 days after the first meeting of creditors.

Reaffirmation agreements are strictly voluntary -- they are not required by the Bankruptcy Code or other state or federal law. You can voluntarily repay any debt instead of signing a reaffirmation agreement, but there may be valid reasons for wanting to reaffirm a particular debt.

Reaffirmation agreements must not impose an undue burden on you or your dependents and must be in your best interest. If you decide to sign a reaffirmation agreement, you may cancel it any time before the court issues your discharge order or within sixty (60) days after the reaffirmation agreement was filed with the court, whichever is later. If you reaffirm a debt and fail to make the payments required in the reaffirmation agreement, the creditor can take action against you to recover any property that was given as security for the loan and you may remain personally liable for any remaining debt.

OTHER BANKRUPTCY OPTIONS

You have a choice in deciding what chapter of the Bankruptcy Code will best suit your needs. Even if you have already filed for relief under chapter 7, you may be eligible to convert your case to a different chapter.

Chapter 7 is the liquidation chapter of the Bankruptcy Code. Under chapter 7, a trustee is appointed to collect and sell, if economically feasible, all property you own that is not exempt from these actions.

Chapter 11 is the reorganization chapter most commonly used by businesses, but it is also available to individuals. Creditors vote on whether to accept or reject a plan, which also must be approved by the court. While the debtor normally remains in control of the assets, the court can order the appointment of a trustee to take possession and control of the business.

Chapter 12 offers bankruptcy relief to those who qualify as family farmers. Family farmers must propose a plan to repay their creditors over a three-to-five year period and it must be approved by the court. Plan payments are made through a chapter 12 trustee, who also monitors the debtors' farming operations during the pendency of the plan.

Finally, chapter 13 generally permits individuals to keep their property by repaying creditors out of their future income. Each chapter 13 debtor writes a plan which must pay the chapter 13 trustee the amounts set forth in their plan. Debtors receive a discharge after they complete their chapter 13 repayment plan. Chapter 13 is only available to individuals with regular income whose debts do not exceed \$1,000,000 (\$250,000 in unsecured debts and \$750,000 in secured debts).

AGAIN, PLEASE SPEAK TO YOUR LAWYER IF YOU NEED FURTHER INFORMATION OR EXPLANATION, INCLUDING HOW THE BANKRUPTCY LAWS RELATE TO YOUR SPECIFIC CASE.

Voluntary Petition

The form has been substantially amended to simplify its format and make the form easier to complete correctly. The Latin phrase "In re" has been deleted as unnecessary. The amount of information requested in the boxes labeled "Type of Debtor" and "Nature of Debt" has been reduced, and the reporting by a corporation of whether it is a publicly held entity has been moved to Exhibit "A" of the petition. The box labeled "Representation by Attorney" has been deleted; the information it contained is requested in the signature boxes on the second page of the form.

In the statistical information section, the labels on the ranges of estimated assets and liabilities have been rewritten to improve the accuracy of reporting. The assets/liability range of \$10 million to \$100 million has been divided into two categories to promote better statistical reporting of business cases. Requests for information in chapter 11 and chapter 12 cases concerning the number of the debtor's employees and equity security holders have been deleted.

The Director of the Administrative Office of the United States Courts pursuant to the Congressional mandates of 28 U.S.C. § 604 is authorized to change the particulars of the statistical portion of the form as needed in the performance of these statutory duties

The second page of the form has been simplified so that a debtor need only sign the petition once. The request for information concerning the filing of a plan has been deleted.

Exhibit "A" has been simplified. In addition, the category of chapter 11 debtors required to file Exhibit "A" is modified to include a corporation, partnership, or other entity, but only if the debtor has issued publicly-traded equity securities or debt instruments. Most small corporations will not be required to file Exhibit "A".

Voluntary Petition:

Form 1, the Voluntary Petition, is to be used to commence a voluntary case under chapter 7, 11, 12, or 13 of the Bankruptcy Code.

All names used by the debtor, during the last six years, including trade names, names used in doing business, aliases, former married names, and maiden name should be furnished in the spaces provided. If there is not sufficient room for all such names on the form itself, the list should be continued on an additional sheet attached to the petition. A complete list of names will enable creditors to identify the debtor properly when they receive notices and orders. Individuals cannot list DBA "Doing Business As..." names in their petitions if those names relate to partnerships or corporations. (Local Bankruptcy Rule 1002.1) Separate petitions are required for such partnership or corporate businesses. After filing, these cases may be substantively consolidated, or jointly administered, by formal order of the Court.

Complete information on the names will help to ensure correct entry of the names into the court's computer database, i.e. *(Last name) (comma) (First name) (comma) (Middle name or initial)*

Placement of a comma between last and first name is especially helpful when a married woman uses her maiden name as part of her married name. The following names are fictitious.

Mary Jones Smith (Smith, Mary, Jones)

Martha Louise Marie Smith-Gonzalez (Smith-Gonzalez, Martha, Louise Marie)

Martha Louise Smith Gonzalez (Gonzalez, Martha, Louise Smith)

Other examples of names: *John A Jones, Jr (Jones, John, A Jr)*

John A Jones, III (Jones, John ,A III)

James E Van Dyke, Jr (Van Dyke, James, E)

Juan Gonzalez Diaz (Diaz, Juan, Gonzalez) or (Diaz Gonzalez, Juan)

The party preparing the petition may not be the debtor, and may not know there are specific middle names and specific last names, as in the instances shown above. The debtor will know and can give specific direction.

Design of this form is intended to provide the court, the United States Trustee, and other interested parties with as much information as possible during the 15-day period provided by Rule 1007(c), when schedules and statements may not have been filed. The format separates into categories the data provided by the debtor, and enables the form to be used by all voluntary debtors in all chapters.

The form requires a debtor not represented by an attorney to provide a telephone number so that court personnel, the trustee, other parties in the case and their attorneys can contact the debtor concerning matters in the case.

The form requires both a street address and any separate mailing address, as well as any separate addresses used by a joint debtor. Disclosure of prior bankruptcies is intended to alert the trustee to cases in which an objection to discharge pursuant to §727(a)(8) or (a)(9) or a motion to dismiss under §109(g) may be appropriate.

Rule 1008 requires all petitions to be verified or contain an unsworn declaration as provided in 18 U.S.C. §1746. The unsworn declaration on page two of the petition conforms with 28 U.S.C. §1746, which permits the declaration to be made in the manner indicated with the same force and effect as a sworn statement.

FURTHER NOTE: District of Idaho Local Bankruptcy Rule 2002.3 states:

In Chapter 13 cases, where the plan and required copies are not filed with the petition, the debtor shall be responsible for mailing copies of the chapter 13 plan and notice of hearing on confirmation to all creditors and parties in interest. Such notice must comply with Federal Rules of Bankruptcy Procedure 2002 and 3015.

A suggested form for Chapter 13 Plan and Related Motions is included in this package of instructions.

DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, _____ (the president or other officer or
an authorized agent of the corporation) (or a member or an authorized agent of the
partnership) named as the debtor in this case, declare under penalty of perjury that I
have read the foregoing (list or schedule or amendment or other document (describe))

and that it is true and correct to the best of my information and belief.

Dated _____

Signature

(Print Name and Title)

RULE 1008 requires that all petitions, lists, schedules, statements, and amendments thereto be verified or contain an unsworn declaration conforming with 28 U.S.C. § 1746. This form or adaptations of the form have been incorporated into the forms of the petitions, schedules, and statement of financial affairs. The form is for use in connection with other papers required by these rules to be verified or contain an unsworn declaration.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

In re

Debtor(s)

Case No. _____

Chapter _____

Application to Pay
Filing Fee in Installments

1. In accordance with Fed. R. Bankr. P. 1006, I apply for permission to pay the Filing Fee amounting to \$_____ in installments.
2. I certify that I am unable to pay the Filing Fee except in installments.
3. I further certify that I have not paid any money or transferred any property to an attorney for services in connection with this case and that I will neither make any payment nor transfer any property for services in connection with this case until the filing fee is paid in full.
4. I propose the following terms for the payment of the Filing Fee.*

\$ _____ Check one ☐ With the filing of the petition, or
☐ On or before _____

\$ _____ on or before _____

\$ _____ on or before _____

\$ _____ on or before _____
- * The number of installments proposed shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after filing the petition. Fed. R. Bankr. P. 1006(b)(2).
5. I understand that if I fail to pay any installment when due my bankruptcy case may be dismissed and I may not receive a discharge of my debts.

Signature of Attorney _____ Date _____

Printed Name of Attorney _____

Signature of Debtor _____ Date _____
(In a joint case, both spouses must sign.)

Signature of Joint Debtor(if any) _____ D a t e

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. I also certify that I will not accept money or any other property from the debtor before the filing fee is paid in full.

Printed or Typed Name of Bankruptcy Petition Preparer _____

Social Security No. _____

Address _____

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

_____ Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156 .

COMMITTEE NOTE

The form has been reorganized and the paragraphs numbered. The debtor's certification concerning payment for services in the case has been placed ahead of the statement of proposed terms for installment payment of court fees. Acknowledgment by the debtor of the potential consequences of failure to pay any installment when due has been added. (See 11 U.S.C. § 707 (a) (2).) The language of the form also has been changed to conform to Rule 1006 and to clarify that a debtor is not disqualified from paying the filing fee in installments because the debtor has paid money to a bankruptcy petition preparer.

MEMORANDUM REGARDING SCHEDULES

These schedules shall be used to comply with § 521(1) of the Code and Rule 1007(b). Schedules A,B,D,E, and F constitute the schedule of assets and liabilities. Schedules I and J constitute a schedule of current income and current expenditures for individual and joint debtors.

The order of the schedules has been arranged with the summary sheet in front and with the schedules of assets appearing first, followed by the schedules of liabilities. This structure corresponds to the customary pattern by which trustees and creditors review these documents and to the format of the accounting profession for balance sheets.

Review the specific instructions for each schedule before completing the schedule.

The schedules require a complete listing of assets and liabilities but leave many of the details to the investigation by the trustee. Section 521(3) of the Code requires the debtor to cooperate with the trustee, who can administer the estate more effectively by requesting any documents from the debtor rather than relying on descriptions in the schedules which may prove to be inaccurate.

Leasehold interests in both real and personal property are to be reported in schedule G - Executory Contracts and Unexpired Leases. This information should not be repeated in the schedules of assets.

Generally in these schedules, a creditor's claim will be listed only once, even if the claim is secured only in part, or is entitled only in part to priority under § 507(a) of the Code, with the remainder of the claim to be treated as a general unsecured claim. For example, a partially secured creditor whose claim is reported in Schedule D - Creditors Holding Secured Claims will be listed together with the value of the property securing the claim and a notation of the amount of any unsecured portion of the claim. Information concerning the unsecured portion should not be repeated in Schedule F - Creditors Holding Nonpriority Unsecured Claims. Any resulting overstatement of the amounts owed on secured and priority claims as reported on the summary sheet is offset by a corresponding understatement of the amount owed on unsecured claims.

If a debtor has no property or no creditors in a particular category, an affirmative statement to that effect is required. Married debtors should indicate whether property is jointly or separately owned and whether spouses are jointly or separately liable for debts, using the columns provided in the schedules.

Schedule A - Real Property. Instructions at the top of the form indicate the scope of the interests in property to be reported on the schedule. Leasehold interests of the debtor are not reported here but on the Schedule of Executory Contracts and Unexpired Leases. The trustee will request copies of deeds or other instruments necessary to the administration of the estate.

Schedule B - Personal Property. This schedule is to be used for reporting all of the debtor's interests in personal property except leases and executory contracts, which are to be listed on the Schedule of Executory Contracts and Unexpired Leases. Several new categories of property have been added to the schedule, i.e., aircraft, and interests in IRA, ERISA, Keogh, or other pension or profit-sharing plans. To minimize the potential for concealment of assets, the debtor must declare whether the debtor has any property in each category on the schedule. The trustee can request copies of any documents concerning the debtor's property necessary to the administration of the estate.

Schedule C - Property Claimed as Exempt. The form of the schedule eliminates duplication of information provided elsewhere. The location of property, for example, is disclosed in the schedules of real and personal property. The requirement that the debtor state the present use of the property is best left to inquiry by the trustee. Exemptions in some states are granted by constitutional provisions; accordingly, the requirement that the debtor state the "statute" creating an exemption has been changed to request a statement of the relevant "law". This schedule requires that the debtor state the market value of the property in addition to the amount claimed as exempt.

Schedule D - Creditors Holding Secured Claims. Schedules D, E, and F have been designed with address boxes sized to match the number of characters which can be accommodated on the computerized noticing systems used by the courts. The size also closely approximates that of standard mailing labels. Space is designated at the top of the box for the debtor's account number with the creditor. The design of the form is intended to reduce the volume of misdirected creditor mail.

The form requires the debtor to state affirmatively that a claim is disputed, unliquidated, or contingent. The existence of any type of codebtor is to be disclosed, but details are to be provided in Schedule H, as they are not needed here. Duplication of information has been kept to a minimum. Requests for details concerning negotiable instruments and the consideration of a claim, are left to the trustee's inquiries.

Schedule E - Creditors Holding Unsecured Priority Claims. The schedule lists all of the types of claims entitled to priority and requires the debtor to indicate the existence of claims in each category. Continuation sheets are provided. The type of priority claim is to be noted at the top of the continuation sheet, and each type must be reported on a separate sheet. This schedule also requires the debtor to indicate the existence of any codebtors. As in Schedule D - Creditors Holding Secured Claims, requests for information concerning judgments and negotiable instruments have been deleted.

Schedule F - Creditors Holding Unsecured Nonpriority Claims. This schedule is generally in conformity with the other schedules of creditors. If a claim is subject to setoff, the debtor is required to so state.

Schedule G - Executory Contracts and Unexpired Leases. Rule 1007(b) requires the debtor to file a schedule of executory contracts and unexpired leases, unless the court orders otherwise. All unexpired leases of either real or personal property are to be reported on this schedule. The schedule also requires the debtor to disclose specific information to assist the trustee in identifying leases which must be assumed within 60 days after the order for relief or be deemed rejected under § 365(d) of the Code.

Schedule H - Schedule of Codebtors. This schedule is designed to provide the trustee and creditors with information about codebtors of all types other than spouses in joint cases. The completed schedule provides information concerning non-debtor parties, such as guarantors and non-debtor spouses having an interest in property as tenants by the entirety. In chapter 12 and chapter 13 cases, the completed schedule also indicates those persons who may be entitled to certain protections from creditor action under §§ 1201 and 1301 of the Code.

Schedule I - Schedule of Current Income of Individual Debtor(s) and Schedule J - Schedule of Current Expenditures of Individual debtors(s). Chapter 13 statement style changes have been made so that these schedules can be used by individual and joint debtors in all chapters.

United States Bankruptcy Court District of Idaho

In re

Case No.

Chapter 7

Debtor(s)

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts.
 - a. *Property to Be Surrendered.*

Description of Property

Creditor's Name

- b. *Property to Be Retained.*

[Check applicable statement]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)

Date: _____

Signature of Debtor

Note: Rule 1007(b)(2) requires debtor to serve a copy of the Statement of Intentions on the trustee and all creditors named in the statement. In a joint case, if the property and debts of both debtors are the same, the form may be adapted for joint use. If joint debtors have separate debts, however, each debtor must use a separate form.

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate OFFICIAL form FOR EACH PERSON.

x _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156

COMMITTEE NOTE

The form is amended to conform more closely to the language of the Bankruptcy Code. The amendments also make clear that the form is not intended to take a position regarding whether the options stated on the form are the only choices available to the debtor. Compare Lowry Federal Credit Union v. West, 882 F. 2d 1543 (10th Cir. 1989), with In re Taylor, 3 F.3d 1512 (11th Cir. 1993).

[illegible]

[illegible]

Date: _____
Debtor

**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, _____ (the president or other officer or an authorized agent of the corporation) (or a member or an authorized agent of the partnership) named as the debtor in this case, declare under penalty of perjury that I have read the foregoing (list or schedule or amendment or other document (describe) and that it is true and correct to the best of my information and belief.

Dated _____

Signature _____

(Print Name and Title)

RULE 1008 requires that all petitions, lists, schedules, statements, and amendments thereto be verified or contain an unsworn declaration conforming with 28 U.S.C. § 1746. This form or adaptations of the form have been incorporated into the forms of the petitions, schedules, and statement of financial affairs. The form is for use in connection with other papers required by these rules to be verified or contain an unsworn declaration.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO

In Re:

Case No.

Debtor(s)

CHAPTER 13 PLAN AND RELATED MOTIONS

This plan is proposed by the debtor. It contains provisions that may significantly affect your rights. It contains matters, which if not objected to, may be accepted by the court as true. Creditors cannot vote on this plan. A creditor who wishes to oppose the plan and related motions may do so by timely filing a written objection. Any objection must be in writing, and must be filed with the court and served upon the debtor, debtor's attorney, and the chapter 13 trustee by the time set by the court for the first meeting of creditors, within five (5) days thereafter, or as otherwise allowed by law. Absent any such objection, the court may confirm this plan, accept the valuations and allegations herein, and grant the motions without further notice or hearing. If a creditor files a timely written objection, that creditor must also appear at the hearing on confirmation of the plan to assert the objection, or it may be denied without further notice or hearing. The provisions of the confirmed plan will bind the debtor and each creditor.

1. **PAYMENTS TO TRUSTEE.** Such portion of the projected future earnings and income of the debtor as is necessary for the execution of the plan is submitted to the supervision and control of the chapter 13 trustee for the duration of this plan, to wit:

(a) **PERIODIC PAYMENTS.** Debtor will pay to the trustee for a term, not exceeding _____ months the sum of \$_____ monthly.

(b) **INCOME TAX REFUNDS.** (Check One)

☐ Debtor projects no income tax refunds during the term of this plan. As a result, no income tax refunds will be turned over to the trustee; OR

☐ Debtor projects income tax refunds during the term of this plan. During the initial 36 months of the plan, the debtor will turn over to the trustee all income tax refunds. At any time during the term of the plan, debtor shall be entitled to use a tax refund to pay taxes due any other taxing authority; however, the debtor shall remit any tax

refund balance to the trustee. Upon the trustee's recommendation or upon notice and hearing, the Court may enter an order entitling the debtor to retain, in whole or in part, income tax refunds owing during the term of the plan to facilitate the terms of this plan or meet the other reasonable or necessary needs of the debtor.

(c) **EARLY PAYOFF.** This plan may not be paid in less than thirty-six (36) months by debtor without notice to interested parties and an opportunity for hearing before the Court.

(d) **WAGE DEDUCTION ORDER.** Debtor acknowledges that if the debtor is ever more than thirty (30) days delinquent on any payment due under section 1(a) of this plan, upon request of the trustee a wage deduction order to debtor's employer may immediately issue.

2. **DEFERRAL OF PAYMENTS FOR CAUSE.** The trustee for cause may defer not more than two monthly payments per calendar year without further notice to parties or hearing before the Court.

3. **POST-CONFIRMATION RECOVERY OF PROPERTY.** Debtor elects as follows:

- (Check One) ☐ G The trustee shall retain the right, post-confirmation, to recover monies, to recover property and avoid liens pursuant to 11 USC §541, et. seq. Any such recovery or avoidance shall, when liquidated, be disbursed to creditors as additional disposable income, in accordance with 11 USC §1325(b); OR
- ☐ G The debtor has calculated the right to recover monies, to recover property and avoid liens pursuant to 11 USC §541, et seq. in the plan payment. As a result, the trustee shall not retain such further rights, post-confirmation.

4. **DISBURSEMENTS & PLAN TREATMENT BY TRUSTEE.** From the payments so received, the trustee shall make disbursements as follows:

(a) **PROVISIONS FOR PRIORITY CREDITORS.** Full payment of allowed claims entitled to priority under 11 USC §507 in deferred cash payments as follows:

(1) **Trustee.** Fees to the trustee as provided by 28 USC §586.

(2) **Attorney.** Fees to the debtor's attorney in the total amount of \$_____ in equal monthly installments over the initial _____ months.

Maintenance/Child Support. Unless the holder of the claim agrees

otherwise, upon confirmation of the plan and the filing of an allowed claim, any allowed unsecured claims of a spouse, former spouse, or child of debtor, for delinquent maintenance or child support shall be paid:

- (Check One) G during the initial _____ months of the plan;
- G in equal monthly installments over the term of the plan;
- OR
- G not applicable.

(4) **Taxes.** Unless the holder of the claim agrees otherwise, upon confirmation of the plan and the filing of an allowed claim, any allowed unsecured priority claims of governmental units shall be paid:

- (Check One) G during the initial _____ months of the plan; OR
- G in equal monthly installments over the term of the plan.

(b) **PROVISIONS FOR CREDITORS HOLDING SECURED CLAIMS**

(1) **Modification of rights of holders of secured claims.** To each of the following named creditors, the full value of the allowed secured claim held, provided a timely allowed claim is filed. Each creditor holding an allowed secured claim shall retain its lien on the collateral securing that claim until the *allowed secured value* has been paid, at which time the lien shall be released. The *allowed secured value* is defined as the lesser of the amount of a creditor's claim or the market value of the creditor's collateral, as set forth in this plan. The *allowed secured value* shall be amortized at the rate of interest (simple interest, direct reducing), in equal monthly installments over the term of the plan, unless otherwise provided. No pre-confirmation interest shall be paid, unless otherwise provided. Upon payment of the allowed value of the secured claim, the secured creditor's lien shall be released, void of any further effect, including void of any further security interest. Any portion of the debt owed to a creditor in excess of the allowed value of the collateral will be treated in this plan as an unsecured claim. Unless otherwise ordered by the Court, payments shall commence upon filing of an allowable claim and pursuant to the terms of the Order of Confirmation of the plan. The *Projected Total Payments* constitute the debtor's best estimate of the total of all payments made to the secured creditor on the secured portion of such creditor's claims. At the discretion of the trustee, *allowed secured values* of \$500 or less may have payment accelerated.

Secured creditor rights and claims will be modified in accordance with the values and terms provided for herein by debtor. An order valuing the secured portion of a claim, at less than the total amount of the claim, voids the creditor's lien to the extent of the unsecured portion of the claim.

The debtor hereby MOVES the court for an order so fixing the value of the collateral as follows:

CREDITOR	DESCRIPTION OF COLLATERAL	ALLOWED SECURED VALUE	RATE OF INTEREST	PROJECTED TOTAL PAYMENTS

If a secured creditor objects to this provision, debtor will nevertheless ask the Court, at the hearing on confirmation, to confirm the plan over such creditor's objection, pursuant to 11 USC §1325(a)(5)(B). In the event that any such secured creditor fails to timely file a secured claim, a late filed claim shall be allowed for purposes of distributing payments for the secured portion of its claim. In the event that such creditor's late filed claim has an unsecured portion in its proof of claim, no distribution shall be allowed for the unsecured portion of the claim.

(2) **Curing of Default in Long Term Secured Claims.** To each of the below named creditors, the debtor does not propose to pay, in full, their allowed secured claim during the term of this Plan. Each creditor shall retain its lien on the collateral securing the claim until the allowed secured claim is paid in full. The debtor will continue the regular monthly contract payments outside of the plan. Each post-petition payment shall be paid by debtor as it comes due. The initial payment shall commence on the first full month following the filing of this bankruptcy by debtor. The periodic payments under this plan, shall be applied by creditor to the earliest payment for which a portion of the payment is due. Payments shall commence upon filing of an allowable claim and pursuant to the terms of the Order of Confirmation of the plan. Unless otherwise provided, the frequency of payments shall be in approximate equal monthly amounts, during the term of the plan. . The *Total in Default* provided hereinafter represents the debtor's projection of the total amount necessary to cure the default. In the event that the creditor's allowed claim provides otherwise, the allowed claim shall control. Each such creditor shall further be entitled to receive interest on their claim, as allowed by law. Such interest rate shall be the non-default contract rate of interest provided in the promissory note between each creditor and debtors..

CREDITOR	REGULAR PAYMENT	TOTAL IN DEFAULT

(c) **PROVISIONS FOR UNSECURED CLAIMS**

(1) **Classification of Unsecured Claims.** Unless otherwise provided, the following unsecured claims will receive the indicated dollar amounts, in equal monthly installments during the term hereof, on their allowed claim. Payments shall commence upon confirmation of this plan and filing of an allowed claim.

CREDITOR	AMOUNT TO BE PAID
CLASS "A"—Co-signed obligations owing to:	
CLASS "B"—Student loans owing to:	
CLASS "C"—Other obligations owing to:	

(2) **General Unsecured Claims.** Upon confirmation, and at times consistent with the other provisions of this plan, the Trustee will, from funds available after payment of priority and secured claims, pay pro-rata dividends to all creditors who have filed timely allowed unsecured claims.

5. **DISBURSEMENTS & PLAN TREATMENT BY DEBTOR.** Debtor shall make disbursements directly to creditors and provides to treat claims as follows:

(a) **Long Term Secured Claims Not in Default and Not Included in this Plan.** To secured creditors to whom the last payments are due beyond the term of the plan, whose rights are *not* being modified pursuant to 11 USC §1322(b)(2) and are not otherwise impaired, the secured claim of each shall be paid directly by debtor according to the terms of the outstanding agreements with each creditor. Each of the following named secured creditors shall retain their lien on the collateral securing the debt until their allowed claim is paid in full. The debtor will pay these creditors directly as follows:

CREDITOR	COLLATERAL DESCRIPTION	ESTIMATED BALANCE OWING	PAYMENT OUTSIDE OF PLAN

(b) **Surrender of Collateral.** The debtor will surrender debtor's interest in the following collateral securing each allowed secured claim filed by the following creditors. After surrender of the collateral such creditor's deficiency, if any, after liquidation of the collateral, will be paid as an unsecured claim under the provisions for general unsecured creditors if such creditor amends its secured claim to an unsecured claim for such deficiency. Upon the entrance of the order confirmation this plan, the automatic stay imposed by 11 USC §362(a) shall be terminated pursuant to 11 USC §362(d).

CREDITOR	COLLATERAL TO BE SURRENDERED

(c) **Assumption Or Rejection Of Unexpired Leases Or Executory Contracts.** The debtor assumes or rejects the following unexpired leases and/or executory contracts in accordance with 11 USC §365.

CREDITOR	DESCRIPTION OF LEASED PROPERTY	ASSUME OR REJECT

(d) **Judicial Lien Avoidance.** The debtor hereby MOVES, pursuant to 11 USC §522(f)(1)(A), to avoid the judicial liens of the following creditors. Absent a timely written objection from the creditor by the time set by the court for the first meeting of creditors or within five (5) days thereafter, the order of confirmation will avoid its lien, and its claim will be treated under section 4(c)(2) of this plan. Debtor asserts the property is exempt under I.C. §55-1001, et seq.

CREDITOR	DESCRIPTION OF JUDGMENT LIEN	COUNTY & INSTRUMENT NUMBER

(e) **Other Lien Avoidance.** The debtor hereby MOVES, pursuant to 11 USC §522(f)(1)(B), to avoid the nonpossessory nonpurchase money security interests of the following creditors. Absent a timely written objection from the creditor by the time set by the court for the first meeting of creditors or within five (5) days thereafter, the order of confirmation will avoid its lien, and its claim will be treated under section 4(c)(2) of this plan.

CREDITOR	DESCRIPTION OF EXEMPT PROPERTY	EXEMPTION STATUTE

6. **VESTING OF PROPERTY OF THE ESTATE:** Subject only to the liens provided for in this plan and upon confirmation of this plan, all property of the estate:

(Check One) ☐ shall vest in the debtor; OR
☐ shall not vest in the debtor.

DATED:

DEBTOR:

DEBTOR:

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO**

In re

Bankruptcy Case No.

Chapter No. _____

Debtor(s)

**CERTIFICATION AND SIGNATURE OF NON-ATTORNEY
BANKRUPTCY PETITION PREPARER**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer

Social Security No.

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X_____

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

UNITED STATES BANKRUPTCY COURT DISTRICT OF IDAHO	
In re Debtor(s)	Case Number:
	DISCLOSURE OF COMPENSATION

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follow:

For legal services, I have agreed to accept \$ _____

Prior to the filing of this statement I have received. \$ _____

Balance Due. \$ _____

2. The source of the compensation paid to me was:

☐ Debtor ☐ Other (*specify*)

3. The source of compensation to be paid to me is:

☐ Debtor ☐ Other (*specify*)

4. ☐ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Date _____

Signature of Attorney

Name of Law Firm

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO**

In re

) Bankruptcy Case No.

)

)

Chapter No. _____

Debtor(s)

)

Social Security No(s):

)

)

Employer's Tax Identification No(s). (if any):)

DISCLOSURE OF COMPENSATION OF BANKRUPTCY PETITION PREPARER

1. Under 11 U.S.C. § 110(h), I declare under penalty of perjury that I am not an attorney or employee of an attorney, that I prepared or caused to be prepared one or more documents for filing by the above-named debtor(s) in connection with this bankruptcy case, and that compensation paid to me within one year before the filing of the bankruptcy petition, or agreed to be paid to me, for services rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For document preparation services, I have agreed to accept \$ _____

Prior to the filing of this statement I have received \$ _____

Balance Due \$ _____

2. I have prepared or caused to be prepared the following documents (itemize):

and provided the following services (itemize):

3. The source of the compensation paid to me was:

☐ Debtor

☐ Other (specify)

4. The source of compensation to be paid to me is:

☐ Debtor

☐ Other (specify)

5. The foregoing is a complete statement of any agreement or arrangement for payment to me for preparation of the petition filed by the debtor(s) in this bankruptcy case.

6. To my knowledge no other person has prepared for compensation a document for filing in connection with this bankruptcy case except as listed below:

NAME

SOCIAL SECURITY NUMBER

DECLARATION OF BANKRUPTCY PETITION PREPARER

X _____
Signature Social Security Number Date

Name (Print): _____

Address: _____

Telephone (_____) _____
Number

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF IDAHO**

In re

Debtor(s)

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Case No. _____

Chapter _____